

**MEMORANDUM**

DATE: December 11, 2012

TO: The Board of Supervisors

FROM: Jason Purse, Senior Planner II

SUBJECT: Z0-0004-2012. Soil Stockpiling

---

At its meeting on July 24, 2012, the Board unanimously voted to initiate an amendment to the zoning ordinance, Z0-0004-2012 - Soil Stockpile Areas. In order to process applications for soil stockpile areas in a consistent manner, staff has drafted an ordinance to specify development standards for temporary soil stockpile areas associated with development plans. Typically, stockpiles are created on-site and then used to regrade other portions of the property to help maintain positive drainage patterns without the need to bring in additional fill from off-site. These stockpile areas have been shown on Erosion and Sediment Control plans, but have not always included specific details about the height, size, and dimensions of the piles. In other instances, stockpile areas for large developments (e.g., New Town, Colonial Heritage) require multiple stockpile locations as different phases of development occur simultaneously. Staff has worked with developers to achieve desirable locations for these staging and storing areas; however, without Zoning Ordinance regulations in place, these situations have created uncertainty during the plan development stage of construction. In an effort to make the treatment of stockpile areas more consistent for developers and the community in general, staff has created a new section of the ordinance, which is included at the end of the Special Regulations section of the ordinance, that specifically provides guidance for all stockpiles associated with development plans.

The draft ordinance language establishes performance standards for all stockpile areas, including the following requirements:

- Stockpiles must be located on-site, at least 50 feet from property lines, and 100 feet from existing buildings;
- Must have a minimal impact on existing residential streets;
- Must have an absolute maximum height of 25 feet in a residential district and 40 feet in a commercial or industrial district;
- Must be temporary in nature and therefore limited to a two-year time period; and
- Must preserve existing vegetative buffers, as well as limit the visibility along Community Character Corridors.

All stockpiles that meet these requirements are proposed to be approved administratively under typical site plan review criteria. However, if an applicant wishes to get a waiver from one or more of the standards, a waiver provision has been included that can be approved by the Planning Director and allows for the ability to appeal to the Development Review Committee (DRC).

Staff finds that the addition of development standards would help guide staff decisions and make the process more consistent and predictable. Staff recommends that the Board of Supervisors approve of the soil stockpile ordinance.

At its October 11, 2012, meeting, the Policy Committee voted 4-0 to recommend approval of the ordinance change.

At its November 7, 2012, meeting, the Planning Commission voted 6-0 to recommend approval of this ordinance change.

Z0-0004-2012. Soil Stockpiling

December 11, 2012

Page 2

---

Jason Purse

CONCUR:

---

Allen J. Murphy, Jr.

JP/gb

ZO-4-12SSStockpiling\_mem

Attachments:

1. Ordinance
2. Unapproved minutes from the November 7, 2012, Planning Commission meeting.